

You never went to Puerto Rico. An employee saw you at Target at Desert Ridge during your "trip." You had no intention whatsoever of returning to work at GPS Insight.

You gave your incendiary notice the same day your "very generous" and "much appreciated" last bonus was paid out.



Tue 7/18/2017 4:51 PM

Robert Dennis

RE: Q2 Bonus

To: Robert Donat

Cc: Ryan Driscoll

 You replied to this message on 7/18/2017 11:42 PM.

[Bing Maps](#)

Thank you Rob. Very generous and, as always, much appreciated! Looking forward to the second half and doing even better.

You started work at a new job for Blackboard on 7/31, during the timeframe "it was [your] understanding at that point in time [you] were still employed by the company."

Your offer letter and our separation policy state that unused vacation and sick time is not paid out upon voluntary separation. Frankly, this is because we are so typically generous and lax about metering PTO and have never refused someone's time off. We don't want to pay it twice should someone quit. And frankly, rarely does anyone with more than a couple years' tenure quit. You are the second to leave GPS Insight for another employer in 3 years.

with GPS Insight has elapsed. Supplemental insurance is also available through Aflac. You will be eligible for 2 weeks of paid vacation and 5 paid sick days per year, which will be prorated monthly, beginning with the first full month of your employment. **Vacation and sick days are not paid for if unused or upon voluntary separation.** 8 major holidays are paid days off, and a few others are half-days. There is a profit sharing program which you will be eligible for in 2016. A 401-K is available after your first year with the company, and includes a 4% (for 5% employee contribution) company match. There are many events employees are welcome to attend, as GPS Insight has a box at the Phoenix Open, 2 boxes at US Airways Center, season tickets at Chase Field, Ak Chin Pavillion, Comerica Theater, Gammage, as well as events such as a group Spring Training game, Coyotes game, group dinners, etc.

I very reasonably consider the act of starting a new job while still in our employ to meet the definition of "voluntary separation," and as such, you were not paid past 7/31/2017.

You seem very insistent that GPS Insight "[doesn't] do the right thing." This is unquestionably the right thing to do in this case.

When employees abandon their job, purport to give notice via a disingenuous and combative email after being afforded a last minute week and a half vacation, and then resign on the day their bonus is paid out, I draw a line.

Had you simply told us the truth, that you were moving on, and given a REAL 2 weeks' notice so we could ACTUALLY transition your responsibilities, I would have been appreciative of your professionalism.

Instead I am disappointed but not surprised that you would do something so blatantly wrong for what might amount to a couple thousand dollars in your pocket and to make some final statement. This tarnishes your professional reputation and is petty. It truly amazes me that

you are indignant about this and that you believe that we are in the wrong here.

From your resignation letter: "I cannot morally bring myself to believe that appearances are more important than the truth."

It is ironic to revisit that statement now that you clearly have placed such emphasis on false appearances in complete contrast to the truth.

Your self-righteous and self-serving emails fall flat when your obvious lies and fraudulent efforts to cheat us out of a few dollars are brought to light. It's ok, Robert. You can keep the \$18.24. Please.

Good luck.

Robert Donat | Founder & CEO

GPS Insight

7201 E. Henkel Way, Suite 400 | Scottsdale, AZ 85255

480-663-9460 Direct | 602-677-8000 Cell

gpsinsight.com



From: Wayne Holder
Sent: Friday, August 18, 2017 6:33 PM
To: Robert Donat <rdonat@gpsinsight.com>
Subject: Fwd: A Couple Small Requests

Sincerely,

Wayne Holder | Controller

GPS Insight

7201 E. Henkel Way, Suite 400 | Scottsdale, AZ 85255

866.477.4321 x8045

gpsinsight.com

Begin forwarded message:

From: Robert Dennis <robert.v.dennis@gmail.com>
Date: August 18, 2017 at 6:17:55 PM MST

To: Wayne Holder <wayne.holder@gpsinsight.com>

Subject: Re: A Couple Small Requests

Hi Wayne,

As is the customary courtesy, I put in my two weeks' notice on Friday, August 4th. It was my understanding that at that point in time, I was still employed by the company. However, I was asked not to return after sending my letter of resignation. I'm fully aware that GPS Insight is under no obligation to pay me for the two weeks I was willing to work. And it's clear that despite my good faith effort to transition my responsibilities, even in light of my personal disagreements with leadership, the courtesy will not be returned in the form of compensation for that time or for unused vacation. Considering how volatile the situation got and the lack of proper communication to you, it's pretty clear I shouldn't expect the company to "do the right thing," so to speak. Regardless, it was my understanding that my date of separation was August 4th, not July 31st. I will forward you the time-stamped email momentarily that indicates this. Please note that there was an accidental personal charge on the company credit card in March that I had overlooked repaying in the amount of \$18.24 for Uber Eats. Please withhold that amount plus whatever necessary interest from any final compensation disbursement. I don't want to be in Rob's debt by any stretch of the measure.

On a personal note, Wayne, I'm very sorry it came to this. I really enjoyed working with you (mostly because I enjoyed beating you in fantasy baseball hahaha) and Justin, and the rest of your team. I wish egos never got in the way of the good thing we all had for a while. Take care.

On Fri, Aug 18, 2017 at 5:45 PM Wayne Holder <wayne.holder@gpsinsight.com> wrote:

Hi Robert,

Can you please clarify? Were you still on your vacation from GPS Insight to the Dominican Republic at that time? I was under the impression that 7/31 was your date of separation from the company.

Sincerely,

Wayne Holder | Controller

GPS Insight

7201 E. Henkel Way, Suite 400 | Scottsdale, AZ 85255

[866.477.4321](tel:866.477.4321) x8045

gpsinsight.com

From: Robert Dennis [<mailto:robert.v.dennis@gmail.com>]

Sent: Friday, August 18, 2017 4:03 PM

To: Wayne Holder <wayne.holder@gpsinsight.com>

Subject: Re: A Couple Small Requests

Thank you Wayne. Appreciate it. Happy to schedule a pickup for next Friday at 4:15pm if that works for you. I do have a question about the final paystub however. It does not seem to cover the final four days of my employment with GPS Insight (Aug 1-4). Can you clarify that discrepancy for me?

On Fri, Aug 18, 2017 at 3:55 PM, Wayne Holder <wayne.holder@gpsinsight.com> wrote:

Hi Robert,

I have attached a copy of your last paystub and am happy to update your address for you.....quick question for you, can we schedule a time for you to stop by so I can give you your personal belongings?.....you can just pull downstairs in the circle and I will bring them out to you to make it easy for you.....just let me know what works for you.....thanks in advance!

Sincerely,

Wayne Holder | Controller

GPS Insight

7201 E. Henkel Way, Suite 400 | Scottsdale, AZ 85255

866.477.4321 x8045

gpsinsight.com

From: Robert Dennis [mailto:robert.v.dennis@gmail.com]

Sent: Friday, August 18, 2017 3:00 PM

To: Wayne Holder <wayne.holder@gpsinsight.com>

Subject: A Couple Small Requests

Hi Wayne,

Hope all is well on your end. Chick-fil-a still treating you and Justin well, I hope?

I had a couple small requests. Would you be able to provide me with a digital copy of my final pay stub? And rather than scramble at the last minute, could you please update your records with the below address for my W-2? Thank you very much Wayne. Take care.

Robert Dennis

18220 N 68th St., Apt 169

Phoenix, AZ 85054



----- Forwarded message -----

From: Robert Dennis <robert.v.dennis@gmail.com>

To: Robert Donat <rdonat@gpsinsight.com>, Ryan Driscoll <ryan.driscoll@gpsinsight.com>, Elliot Batcheller <elliottb@gpsinsight.com>, Jason Walker <jason.walker@gpsinsight.com>

Cc:

Bcc:

Date: Fri, 4 Aug 2017 18:32:34 +0000

Subject: Robert Dennis - Resignation

With a heavy heart and after much consternation during my time away from GPS Insight, I have realized that I can no longer continue my tenure of employment with the company. It's a difficult decision as I have grown close to many people in the organization and I truly value the opportunity I was given to help the company grow. I've weighed this with every ounce I'm able to and ultimately, I do not want my career to be measured by my perceived loyalties or my continued friendships with past employees. For this it's for the best for us to part ways. Please consider this my two-weeks' notice.

To provide you with some context on how I came to this decision please consider the following *advice* that Rob recently gave me: "It's not good enough to just be innocent. You have to look innocent. And sometimes it's better to look innocent than to be innocent." And it's this that I have the most trouble in morally reconciling. There will always be a cloud of doubt over me. I will never fully *look* innocent at GPS Insight, especially when I do not agree with, and have voiced my opinion on, how things were ultimately handled with regard to Kristin and Jeremy. This is not my attempt to defend them. This is simply my explanation of why I have come to this decision. I cannot morally bring myself to believe that appearances are more important than the truth.

Since Jeremy and Kristin were terminated, there has been tremendous effort among the leadership of the company to justify their illegal termination, despite their previous contributions continuing to pay dividends to the current bottom line. It's difficult to learn about the many new toys acquired from their previous efforts, especially when contrasted against the supposed nickel and dimes of wasted printer paper. It's very difficult to watch history being revised, often through poor attempts at humor, or disparaging remarks, to ease each other's conscience and continue to self-preserve. It's even more difficult to hear the justification that it was a *business decision* when there are much easier *business decisions* to make about more obvious sub-standard employees. But since those employees are perceived to be loyal, they'll get a pass. Since those employees don't push for change, they'll get a pass. I simply cannot be a part of that culture any longer.

As I was imparted with some advice about appearances, allow me to provide my own: The emperor has no clothes.

- Robert Dennis -


 noname.eml
11K

EXHIBIT BM

☐ DV ☐ Child Abuse ☐ Arson ☐ Homicide ☐ Hate Crime ☐ Elderly ☐ Gang Related ☐ Liquor Est. ☐ On-Body Camera

Agency: SPD

Incident / Investigation Report

Case Number: 17-11782

THEFT-UNAUTHORIZED SERVICE/PROPERTY-ENTRUSTED PERSON

Reported 05/25/2017 13:56

Found 02/05/2017 23:59

Occurred 01/01/2016 00:00

Location 7201 E Henkel Wy Apt. 400, Scottsdale, AZ

Original Officer (856) MILLER, M

Original Information

Original Page: 1

Date Added: 05/25/2017

Added By: (856) MILLER, M

Charges

1	Charge Type	Description	Statute	UCR	<input type="checkbox"/> Att
	State	THEFT-UNAUTHORIZED SERVICE/PROPERTY-ENTRUSTED PERSON	13-1802A2	270	<input checked="" type="checkbox"/> Com
Alcohol, Drugs or Computers Used		Location Type	Premises Entered	Forced Entry	Weapons
<input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		OTHER/UNKNOWN		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	1.
Entry	Exit	Criminal Activity			2.
					3.
Bias Motivation		Bias Target	Bias Circumstances		Bias Group

Victim

1	Type	Code	Name (Last, First, M)								AKA	
	B	VI	GPS INSIGHT									
SSN		DOB	Age	Race	Ethnicity	Sex	Height	Weight	Hair	Eyes	Victim of Crimes	
								0			1	
License: <input type="checkbox"/> DL <input type="checkbox"/> ID <input type="checkbox"/> Per			Number:		State:		Marital:		Resident:		Citizen:	
Address										Hm ph: [REDACTED]		
7201 E HENKEL WY APT. 400, SCOTTSDALE, AZ 85255										Cell ph:		
Occupation			Employer Name/Address								Wk ph:	
			[REDACTED]									
Scars, Marks, Tattoos or Other Distinguishing Features:												
Physical Characteristics:												

Status: Inactive

Victim Rights? ☒ Yes ☐ No

CSS Requested? ☐ Yes ☒ No

12/08/2017 16:22

Page 1

GPSI_00108037

☐ DV ☐ Child Abuse ☐ Arson ☐ Homicide ☐ Hate Crime ☐ Elderly ☐ Gang Related ☐ Liquor Est. ☐ On-Body Camera

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Original Officer (856) MILLER, M

Original Information

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Date Added: 05/25/2017

Added By: (856) MILLER, M

Offender

1	Type I	Code OF	Name(Last, First, M) THACKER, JEREMY NOEL								AKA	
SSN	DOB		Age	Race	Ethnicity	Sex	Height	Weight	Hair	Eyes		
			39	W	U	M	600	185	BRO	HAZ		
License: <input type="checkbox"/> DL <input type="checkbox"/> ID <input type="checkbox"/> Per			Number:		State: AZ			Marital: U		Resident: N		Citizen: US
Address										Hm ph:		
Occupation			Employer Name/Address									Cell ph:
												Wk ph:
Scars, Marks, Tatoos or Other Distinguishing Features:												
Physical Characteristics:												

Other Persons Involved

1	Type I	Code RP	Name(Last, First, M) DONAT, ROBERT JAMES								AKA	
SSN	DOB		Age	Race	Ethnicity	Sex	Height	Weight	Hair	Eyes		
			47	W	U	M	507	170	BRO	BRO		
License: <input type="checkbox"/> DL <input type="checkbox"/> ID <input type="checkbox"/> Per			Number:		State: AZ			Marital: U		Resident: R		Citizen: US
Address										Hm ph:		
Occupation			Employer Name/Address									Cell ph:
												Wk ph:
Scars, Marks, Tatoos or Other Distinguishing Features:												
Physical Characteristics:												

☐ DV ☐ Child Abuse ☐ Arson ☐ Homicide ☐ Hate Crime ☐ Elderly ☐ Gang Related ☐ Liquor Est. ☐ On-Body Camera

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Occurred 01/01/2016 00:00

Location 7201 E Henkel Wy Apt. 400, Scottsdale, AZ

Original Officer (856) MILLER, M

Original Information

Original Page: 3

Date Added: 05/25/2017

Added By: (856) MILLER, M

Property

1	Prop ID 1157310	Status STOLEN	Class 57	NCIC	Make/Model	Serial Number		
Owner GPS INSIGHT			Owner Applied Number		License / State	Color		
Description Credit Card Purchases- Personal Expenses						Quantity 1	UM	Value \$4499.84
Gun Type			Caliber		Finish	Grip	Gun Stock	
Condition:			Gun Test: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Test Type:	Sight Test: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Sight Type:
Property Notes:								

☐ DV ☐ Child Abuse ☐ Arson ☐ Homicide ☐ Hate Crime ☐ Elderly ☐ Gang Related ☐ Liquor Est. ☐ On-Body Camera

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Original Officer (856) MILLER, M

Original Information

Original Page: 4

Date Added: 05/25/2017

Added By: (856) MILLER, M

Notes / Narratives

Over the past year (approximately January 2016 to February 2017), the listed offender used an issued company credit card to pay for personal expenses totaling approximately \$4500. The offender was terminated about 2 months ago for unrelated reasons (and no purchases were made after his termination). The victim business is GPS Insight at 7201 E Henkel Dr #400.

On 5-25-17 at approximately 1500 hours, I made telephone contact with (RP) Robert Donat regarding a delayed theft report. [REDACTED]

Robert told me the following:

Robert had an employee working for him for about 4 years. The employee is (OF) Jeremy Thacker, who was a sales person. Jeremy had been issued a company credit card to pay for work-related expenses. The first card he was issued was an American Express Corporate card ending in [REDACTED]. About 5 months ago, the company switched to a Master Card called Comdata. He did not have the account number for this card. About 2 months ago, Jeremy was terminated from the company. He handed over all of his issued company property including the credit card he was issued. As Robert's staff was reviewing expenses, they noticed about \$900 in purchases Jeremy had made, using the company credit card, which were for personal expenses not allowed to be charged to the company. Expenses included Amazon purchases, local hotels, flights, etc. Jeremy was confronted about this and told they would be deducting the amount from his final commission check. Jeremy had a confrontational attitude about this, which made Robert decide to dig deeper into past expenses. Going back to January of 2016, Robert said they discovered a total of nearly \$4500 in expenses that were not related to Jeremy's employment. Jeremy has not been confronted with the additional discovered purchases at this time. Jeremy has not used the company card since his employment was terminated.

Robert said that Jeremy was allowed to use the company credit card for expenses related to his job and travel associated with his job. Many of the purchases would initially go unnoticed, as they were for flights and hotels, etc. However, on closer examination, some of the hotel charges were for local hotels in the Phoenix/ Scottsdale area that would not have been authorized. Robert said he would be able to provide a list of charges to police that were not work-related expenses.

About 2 years ago, Jeremy had been caught doing something similar. In that instance, he had charged around \$3000 in personal expenses to the company card. Jeremy was allowed to remain employed and signed an agreement to pay back the money, which he did. The company never had any written agreement signed about the use of the company credit cards, but Robert said it was a verbal and moral understanding.

Robert said he would later provide Jeremy's information including last known address, phone number, email, etc. I later received this email and Jeremy's information was updated in iLeads. I later received statements from American Express and Comdata from Robert, but the charges were not marked or separated in any way that would indicate which expenses were work related and which were personal. There was an attached spreadsheet which listed the non-work related expenses made on the cards. I attached the emailed statements as well as the spread sheet (saved in PDF format) to this report.

Robert said the company will aid in prosecution. I mailed victim's rights.

Follow up needed for suspect contact.

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Location 7201 E Henkel Wy Apt. 400, Scottsdale, AZ

Original Officer (856) MILLER, M

Supplement Information

Supplement Page: 1

Date Added: 11/14/2017 13:30:28

Added By: (781) LEFAY, M

Supplement Notes

Det. LeFay 781

At this time, the status of this case is as follows:

I obtained the prior documentation from the GPS Insight controller, reflecting 2015 when Jeremy first stole funds from the company by personal use on his issued business credit card. I have attached that documentation.

I have attached email communication from Robert Donat. On June 20, 2017, Robert states in his email to me that Jeremy was due a final commission check. Robert expressed that \$4,500.00 was deducted from Jeremy's final check. To my knowledge, the total financial loss reported on this present case was \$4,499.84.

I have spoke with Robert to confirm that \$4,500.00 was indeed withheld from Jeremy's paycheck. This is accurate. I confirmed with Robert that he does not have any further financial loss that the \$4,500.00, which is also correct.

Based on this information, I explained to Robert extensively about the difficulty in moving forward criminally. Once a victim has been completely reimbursed of their financial loss, criminal charges of theft are challenging to prosecute. Robert said he understood.

I explained that I would not be investigating this any further, due to this information. Robert said he also understood that, and if he found any other financial loss attributed to Jeremy's employment, he would let me know.

I have attached several documents/information that Robert has provided as part of this investigation.

nfi